

Legislative Bulletin.....December 8, 2009

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**H.R. 2278 - To direct the President to transmit to Congress a report
on anti-American incitement to violence in the Middle East
(Bilirakis, R-FL)**

Order of Business: The bill is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2278 requires the President to transmit a report to Congress on anti-American violence in the Middle East. The report will contain a country by country list and description of media outlets that partake in encouraging anti-American violence. The report will also contain a list of satellite companies that are involved with those same media outlets and the bill encourages investors to oppose satellite transmissions of manufactured anti-American violence.

Committee Action: H.R. 2278 was introduced on May 6, 2009, and referred to the House Foreign Affairs Committee, which took no public action.

Cost to Taxpayers: A CBO report is unavailable.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 2134 - Western Hemisphere Drug Policy Commission Act of 2009 (Engel, D-NY)

Order of Business: The bill is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2134 establishes the Western Hemisphere Drug Policy Commission to review and evaluate the illegal drug supply policy of the United States. The Commission will focus on international drug policies and programs that are directed toward Western Hemisphere countries. The Commission will identify options to improve counternarcotics policy. The Commission will examine the effectiveness of current international drug policies of the United States, as well as how to better target major drug cartels, the demand of the United States for illegal drugs, and current drug prevention and treatment programs.

The Commission will consult with leaders from international organizations, as well as other government leaders from Latin America and the Caribbean, and the Inter-American Drug Abuse Control Commission to determine what changes would increase its effectiveness. The Commission will submit a report to Congress, as well as to the Secretary of State and the Director of the Office of National Drug Control Policy, that will detail the recommendations and findings of the Commission.

The Commission will be dissolved 60 days after it submits its report to Congress.

Committee Action: H.R. 2134 was introduced on April 28, 2009, and referred to the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security and the House Energy and Commerce Committee, which took no public action. The bill was also referred to the Foreign Affairs Subcommittee on Western Hemisphere. A markup was held and the bill passed under unanimous consent.

Cost to Taxpayers: A CBO report is unavailable. However, Section 10 of the bill appropriates \$2 million to carry out this legislation.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The bill establishes the Western Hemisphere Drug Policy Commission which will have the power to hold hearings, and have the right to materials, resources, and data from the Library of Congress, the Office of National Drug Control Policy, the Department of State, the Department of Justice, the Drug Enforcement Administration, the Department of Defense (including the United States Southern Command), and other agencies of the executive and legislative branches of the Federal Government.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Res. 915 - Encouraging the Republic of Hungary to respect the rule of law, treat foreign investors fairly, and promote a free and independent press (*Donnelly, D-IN*)

Order of Business: The resolution is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 915 lists a number of findings, including:

- “In 1997, the Hungarian National Radio and Television Board (ORTT) awarded licenses for two national radio stations, which are set to expire on November 19, 2009;
- “One of these licenses was awarded to a United States company and the other to a European company, each for a total of 12 years;
- “The Financial Times reported on November 6, 2009, that before the bids for renewal of their national licenses were due, these companies were approached by individuals claiming to represent the Socialist and Fidesz Parties in Hungary offering to extend their licenses if the parties received 50 percent of the companies' equity;
- “The Financial Times also reported on November 6, 2009, that both stations refused this alleged extortion attempt and the ORTT delegates from Fidesz and the ruling Socialist party voted to award the licenses to two politically-connected local bidders instead;”

The resolution resolves that the House of Representatives:

- “Condemns the recent action by the Hungarian National Radio and Television Board that awarded the national community radio licenses;
- “Encourages the Republic of Hungary to respect the rule of law and treat foreign investors fairly; and
- “Encourages the Republic of Hungary to maintain its commitment to a free and independent press.”

Committee Action: H.Res. 915 was introduced on November 18, 2009, and referred to the House Foreign Affairs Committee, which took no public action.

Cost to Taxpayers: The resolution authorizes no expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Con.Res. 213 - Expressing the sense of Congress for and solidarity with the people of El Salvador as they persevere through the aftermath of torrential rains which caused devastating flooding and deadly mudslides (Mack, R-FL)

Order of Business: The resolution is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 213 resolves that the House of Representatives:

- “Expresses solidarity with all people affected by Hurricane Ida;
- “Commends the brave efforts of the people of El Salvador and Central America as they recover from Hurricane Ida;
- “Applauds the coordination between the countries of Central America during the relief effort in providing relief to the people of El Salvador; and
- “Urges the President to continue to make available to nongovernmental organizations, private volunteer organizations, United Nations agencies, and regional institutions the necessary funding to help mitigate the effects of the recent natural disasters that have devastated El Salvador.”

The resolution lists a number of findings, including:

- “On November 9, 2009, parts of El Salvador were decimated by floods brought on by Hurricane Ida;
- “Hurricane Ida caused the death of over 130 people in El Salvador, and made over 13,000 homeless, with both of those numbers likely to rise;
- “Neighboring nations of El Salvador have provided relief to the people of El Salvador; and
- “El Salvador has begun the process of recovering from this natural disaster.”

Committee Action: H.Con.Res. 213 was introduced on November 17, 2009, and referred to the House Committee on Foreign Affairs, which took no public action.

Cost to Taxpayers: The resolution authorizes no expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

**H.Con.Res __ - Expressing sympathy for the 57 civilians who were
killed in the southern Philippines on November 23, 2009
(Berman, D-CA)**

Order of Business: The resolution is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. ____ resolves that the House of Representatives:

- “Regrets the senseless killing of unarmed civilians and expresses its deepest condolences to the families of the 57 victims;
- “Condemns the culture of impunity that continues to exist among clans, politicians, armed elements, and other persons of influence in the Philippines;
- “Calls for a thorough, transparent, and independent investigation and prosecution of those who are responsible for the massacre, including those who committed the killings and anyone who may have ordered them, and that the proceedings be conducted with the highest possible level of professionalism, impartiality, and regard for witness protection to assure the Filipino people that all the responsible persons are brought to justice;
- “Calls for an end to extrajudicial killings and election-related violence;
- “Calls for freedom of press and the safety of the reporters investigating the massacre;
- “Urges the Departments of State and Justice and other United States Government agencies to review their assistance programs to the Government of the Philippines, and to offer any technical assistance, such as forensics support, that Philippine authorities may request; and
- “Reaffirms the United States commitment to working alongside Philippine authorities to combat corruption, terrorism, and security threats.”

The resolution lists a number of findings, including:

- “On November 23, 2009, 57 unarmed civilians were slain in Maguindanao in the worst politically motivated violence in recent Philippine history;
- “Those killed were on their way to file nomination papers on behalf of Ismael Mangudadatu, vice mayor of Buluan, who intended to run against Andal Ampatuan, Jr. who is currently mayor of Datay Unsu, in next year’s gubernatorial elections to succeed Andal Ampatuan, Sr., the father of Andal Ampatuan, Jr.;
- “The Freedom Fund for Filipino Journalists reports that at least 30 journalists and media workers were killed in the Maguindanao massacre;

- “Government prosecutors and judges with jurisdiction over the massacre have allegedly received threats and have been told to “go slow” on the investigation; and
- “The United States and the Philippines share a strong friendship based on shared history and the commitment to democracy and freedom.”

Committee Action: H.Con.Res. ____ was introduced on December 8, 2009, and referred to the House Committee on Foreign Affairs, which took no public action.

Cost to Taxpayers: The resolution authorizes no expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 3951 - To designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building" (Cao, R-LA)

Order of Business: The bill is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3951 designated the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana as the “Roy Rondeno, Sr. Post Office Building.”

Additional Information: Roy Rondeno was a 37-year Postal Service employee and New Orleans native. He was close to retirement and had planed to spend retirement working in an outreach ministry, which he had formed with his wife. On September 26, 2009, he was injured in a traffic accident while he stood by his truck sorting mail. He died six days later on October 2, 2009, at the age of 57.

Committee Action: H.R. 3951 was introduced on October 28, 2009 and was referred to the House Committee on Oversight and Government Reform. A markup was held and the bill passed by voice vote.

Cost to Taxpayers: A CBO score for H.R. 3951 is unavailable, but the only costs associated with a U.S. federal building renaming are those for sign and map changes, none of which significantly affect the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 4017 - To designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office" (McGovern, D-MA)

Order of Business: The bill is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4017 would designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts as the "Ann Marie Blute Post Office."

Additional Information: After her last child left for college, Mrs. Blute began to care for teenage girls as part of a service program through her church. In 1994, she was called by Cardinal John J. O'Connor to St. Patrick's Cathedral in New York City to receive the title of Dame of Malta, one of the Catholic Church's highest and oldest honors. Given to those who demonstrate an intense devotion to service, the title recognized Mrs. Blute's efforts to make others feel comfortable and more at ease. She was a mother of 10, including former Congressman Peter Blute (R-MA).

Committee Action: H.R. 4017 was introduced on November 4, 2009 and was referred to the House Committee on Oversight and Government Reform. A markup was held and the bill passed by voice vote.

Cost to Taxpayers: A CBO score for H.R. 4017 is unavailable, but the only costs associated with a U.S. federal building renaming are those for sign and map changes, none of which significantly affect the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 2711 – Special Agent Samuel Hicks Families of Fallen Heroes Act (Rogers, R-MI)

Order of Business: The bill is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2711 requires for relocation expenses of immediate family members of federal officers that have died while in the line of duty to be paid for by federal funds. The original bill language only called for immediate family members of fallen FBI agents. The new language extends this to all federal law enforcement officers. Additionally, this legislation will also authorize federal funds for the payment for the transportation costs of the remains of the deceased officers.

Committee Action: H.R. 2711 was introduced on June 4, 2009 and was referred to the House Oversight and Government Reform Subcommittee on Federal Workforce, Post Office, and the District of Columbia. A markup was held in the full committee and the bill passed by voice vote.

Cost to Taxpayers: According to CBO, enacting H.R. 2711 will have no significant cost to the federal government.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: No committee report citing constitutional authority is available for H.R. 3940.

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**H.Res. 907 - Recognizing the Grand Concourse on its 100th anniversary as the preeminent thoroughfare in the borough of the Bronx and an important nexus of commerce and culture for the City of New York
(Serrano, D-NY)**

Order of Business: The resolution scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 907 resolves that the House of Representatives:

- “Recognizes the Grand Concourse on its 100th anniversary as the preeminent thoroughfare in the borough of the Bronx and an important nexus of commerce and culture for the City of New York; and
- “Directs the Clerk of the House of Representatives to transmit a copy of this resolution to The Bronx County Historical Society located at 3309 Bainbridge Avenue, The Bronx, NY 10467, for appropriate display.”

The resolution lists a number of findings, including:

- “The Grand Concourse opened in 1909;
- “The 4-mile thoroughfare stretches from 138th Street to Van Cortland Park in the Bronx;
- “The Grand Concourse hosts such New York landmarks as Yankee Stadium, Loews Paradise Theater, and the Concourse Plaza Hotel; and
- “The \$18,000,000 that was provided for the Grand Concourse in January 2006 led to improving the streetscape and creating better access for pedestrians.”

Committee Action: H.Res. 907 was introduced on November 16, 2009 and was referred to the House Transportation and Infrastructure Subcommittee on Highways and Transit, which took no public action.

Cost to Taxpayers: The resolution authorizes no expenditures. However, the resolution does direct the Clerk of the House of Representatives to transmit a copy of this resolution to The Bronx County Historical Society located at 3309 Bainbridge Avenue, The Bronx, NY 10467.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576

**H.R. 4165 - To extend through December 31, 2010, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits
(Larsen, D-WA)**

Order of Business: The bill is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the bill.

Summary: The Secretary of the Army can currently accept and spend funds that are contributed by non-federal public entities in order to speed up the evaluation of permits that are under the management of the Department of the Army. H.R. 4165 extends the Secretary's authority to do this through December 31, 2010.

Committee Action: H.R. 4165 was introduced on December 1, 2009 and referred to the House Transportation and Infrastructure Committee, which took no public action.

Cost to Taxpayers: A CBO report is unavailable.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 1854 - To amend the Water Resources Development Act of 1992 to modify an environmental infrastructure project for Big Bear Lake, California (Lewis, R-CA)

Order of Business: The bill is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1854 amends the Water Resources Development Act of 1992 (Public Law 102-580) to provide funding for improvements in the water supply infrastructure for Big Bear Lake, California. This is in addition to funding for water retrieval and distribution infrastructure for the [Big Bear Area Regional Wastewater Agency](#).

Committee Action: H.R. 1854 was introduced on April 1, 2009 and was referred to the House Transportation and Infrastructure Subcommittee on Waste Resources and Environment, which took no public action.

Cost to Taxpayers: A CBO report is unavailable. However, H.R. 1854 amends the Water Resources Development Act of 1992 to provide \$9 million for water supply infrastructure improvements for Big Bear Lake, California.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

H.Res. 35 - Expressing the sense of the House of Representatives that Congress should provide increased Federal funding for continued type 1 diabetes research (*Green, D-TX*)

Order of Business: The resolution is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 35 resolves:

- “That Federal funding for diabetes research should be increased to meet the National Institutes of Health's goals so that a cure for type 1 diabetes can be found.”

The resolution lists a number of findings, including:

- “A cure for type 1 diabetes will require restoring beta cell function either by replacement with transplantation or by beta cell regeneration;
- “A strong public-private partnership to fund type 1 diabetes exists between the Federal Government and the Juvenile Diabetes Research Foundation International, a foundation which has awarded more than \$1,000,000,000 for diabetes research since its founding and in fiscal year 2008 provided more than \$156,000,000 for diabetes research in 20 countries;
- “Congress has provided \$150,000,000 annually through fiscal year 2011 for the Special Statutory Funding Program for type 1 Diabetes Research;
- “The National Institutes of Health devoted a total of \$433,000,000 in fiscal year 2009 for type 1 diabetes research; and
- “Leading type 1 diabetes researchers have recommended a total funding level of \$4,100,000,000 for fiscal years 2009 through 2013 in order to meet the National Institutes of Health's type 1 research goals.”

Note: This resolution that “A strong public-private partnership to fund type 1 diabetes exists between the Federal Government and the Juvenile Diabetes Research Foundation International, a foundation which has awarded more than \$1,000,000,000 for diabetes research since its founding and in fiscal year 2008 provided more than \$156,000,000 for diabetes research in 20 countries.” It should be noted that the Juvenile Diabetes Research Foundation International is a [supporter](#) of stem cell research and has “committed considerable resources to supporting stem cell research in both the United States and abroad.”

In [FY2007](#), Juvenile Diabetes Research Foundation (JDRF) provided \$137 million to fund type 1 diabetes research. While there were no specific amounts dedicated to stem

cell research, JDRF provided at least \$7 million in support of human and animal stem cell research, this includes more than \$2.5 million on human embryonic stem cell research.

Committee Action: H.Res. 35 was introduced on January 8, 2009 and was referred to the House Energy and Commerce Committee, which took no public action.

Cost to Taxpayers: The resolution authorizes no expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Res. 55 - Expressing support for the designation of a National Prader-Willi Syndrome Awareness Month to raise awareness of and promote research into this challenging disorder (Royce, R-CA)

Order of Business: The resolution is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 55 resolves that the House:

- “Supports raising awareness and educating the public about Prader-Willi syndrome;
- “Applauds the efforts of advocates and organizations that encourage awareness, promote research, and provide education, support, and hope to those impacted by Prader-Willi syndrome;
- “Recognizes the commitment of parents, families, researchers, health professionals, and others dedicated to finding an effective treatment and eventual cure for Prader-Willi syndrome;
- “Supports increased funding for research into the causes, treatment, and cure for Prader-Willi syndrome; and
- “Expresses support for the designation of a National Prader-Willi Syndrome Awareness Month.”

The resolution lists a number of findings, including:

- “Prader-Willi syndrome is a complex genetic disorder that occurs in approximately 1 out of every 15,000 births, and is the most commonly known genetic cause of life-threatening obesity;
- “Prader-Willi syndrome causes an extreme and insatiable appetite, often resulting in morbid obesity, which is the major cause of death for individuals with the syndrome;
- “There is no known cure for Prader-Willi syndrome;
- “Recently discovered treatments, such as human growth hormone, are improving the quality of life for individuals with the syndrome and offer new hope to families, but many difficult symptoms associated with Prader-Willi syndrome remain untreated; and
- “Advocacy organizations have designated May as Prader-Willi Syndrome Awareness Month.”

Committee Action: H.Res. 55 was introduced on January 13, 2009 and was referred to the House Energy and Commerce Committee, which took no public action.

Cost to Taxpayers: The resolution authorizes no expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the bill does not contain any earmarks.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 2221—Data Accountability and Trust Act (Rep. Rush, D-IL)

Order of Business: The bill is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2221 requires Internet companies that hold personal information of users to implement security measures to prevent those records from being breached.

Specifically, the bill requires each person engaged in interstate commerce that “owns or possesses data in electronic form containing personal information, or contracts to have any third party entity maintain such data for such person, to establish and implement policies and procedures regarding information security practices for the treatment and protection of personal information taking into consideration.”

The bill allows the Federal Trade Commission (FTC) to determine whether companies are in compliance with the law. Additionally, the bill allows the FTC to issue standards for information security and protection of personal information if they provide equal or greater protection than those outlined under the bill. Within one year of enactment, H.R. 2221 requires the FTC to issue a report on a standard method for the destruction of obsolete paper documents and other non-electronic data that contains personal information. If data security is compromised for the release of records (such as medical or financial), the bill requires companies to notify consumers within 60 days of a breach.

The legislation grants the FTC the authority to impose fines of up to \$11,000 per day and a maximum of \$5 million to companies who fail to comply with the requirements under the Act. The legislation authorizes \$1 million over the FY 2010 - 2015 period to carry out the mandates imposed by the bill.

Conservative Concerns: Some conservatives have expressed concern that H.R. 2221 could actually reduce internet security, increase possible fraud, and create additional confusion for consumers. The U.S. Chamber of Commerce has expressed additional concerns with the bill and argues it would impose duplicative requirements on entities covered under current law and could unintentionally reduce consumer protection by endangering databases that are designed to protect consumers; such as those intended to stop fraud and identity theft. Some conservatives have expressed concern that H.R. 2221 contains vague standards that the bill attempts to regulate - including marketers, financial institutions, and potentially even newspapers.

Committee Action: On April, 30, 2009, the bill was introduced and referred to the Committee on Energy and Commerce. On September 30, 2009, the committee held a mark-up and ordered the bill to be reported as amended by a voice vote.

Administration Position: No Statement of Administration Policy has been provided.

Cost to Taxpayers: A CBO cost estimate of H.R. 2221 is unavailable at press time.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: Yes, the bill mandates private companies to create security requirements for certain data.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee report citing compliance with rules

regarding earmarks, limited tax benefits, or limited tariff benefits was not available. Such a report is technically not required because the bill is being considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority was not available.

Groups Opposed: The Consumer Data Industry Association (CDIA). The U.S. Chamber of Commerce has written a letter expressing concerns to H.R. 2221.

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H.R. 1319—Informed P2P User Act (Rep. Bono Mack, R-CA)

Order of Business: The bill is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the bill.

Summary: The bill would require installers of peer-to-peer (P2P) software to notify computer users when the software is installed on a personal computer. The bill allows the Federal Trade Commission (FTC) to promulgate rules and fines to punish those that do not notify consumers P2P software is about to be installed. If files have already been downloaded prior to the enactment of the bill, the legislation allows consumers to opt-out of the software or remove it. Peer-to-peer file sharing is defined under the bill as files that can be transmitted to another computer or files that can be directly transferred to, or requested from another computer.

Additional Background: Peer-to-peer (P2P) file sharing typically happens when two computers have the same capabilities as each other and can initiate a communication session. Unlike the traditional sever based communication, P2P is a type of transient Internet network that allows a group of computer users with the same networking program to connect with each other and directly access files from one another's hard drives. [Napster](#) and [Gnutella](#) are examples of this kind of peer-to-peer software.

Committee Action: On March, 5, 2009, the bill was introduced and referred to the Committee on Energy and Commerce. On September 30, 2009, the Committee held a mark-up and ordered the bill to be reported as amended by a voice vote.

Administration Position: No Statement of Administration Policy has been provided.

Cost to Taxpayers: According to CBO, H.R. 1319 would cost about \$1 million annually over the 2010-2014 period, assuming availability of the necessary amounts. CBO estimates that enacting H.R. 1319 could increase federal revenues from additional civil penalties assessed for violations of the new regulations and any additional revenues would not be significant because of the relatively small number of cases expected to be involved.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: Yes, the bill mandates private companies to notify consumers on the installation of P2P software.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits was not available. Such a report is technically not required because the bill is being considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority was not available.

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H.R. _____ —Fiscal Year 2010 Federal Aviation Administration Extension Act of 2009, Part II (*Rep. Rangel, D-NY*)

Order of Business: The bill is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the bill.

Summary: The legislation would extend the Federal Aviation Administration's (FAA) authority to collect taxes and administer FAA programs through March 31, 2010 (under current law this authority lapses on December 31, 2009). Specifically, the legislation would:

- **Extend Expiring Aviation Taxes:** The bill extends the federal taxes dedicated to the FAA's Airport and Airway Trust Fund (AATF), through March 31, 2010, at *current rates*. Present-law taxes extended by the bill include the 7.5% Passenger Ticket Tax, the \$3.60 per flight Segment Tax, \$16.10 tax per departure or arrival and the 6.25% Cargo Waybill Tax. According to CBO, in FY 2007, AATF-dedicated taxes amounted to \$11 billion.
- **Extend Expiring Fuel Taxes:** Aviation Gasoline: Commercial aviation (4.3 cents / gallon) and non-commercial aviation (19.3 cents / gallon). Jet fuel and liquids other than aviation: Commercial aviation (4.3 cents / gallon) and non-commercial aviation (21.8 cents / gallon).
- **Extend FAA Spending Authority:** The legislation extends present-law spending authority for the AATF through March 31, 2010. This spending authority is used to pay for most of the FAA's functions, including the FAA's facilities and equipment program, the research, engineering and development (RE&D) program, and the operations and maintenance program

Other than 4.3 cents / gallon fuel tax, these excise taxes are currently scheduled to expire on December 31, 2009 pursuant to current law.

Additional Background: The FAA's authority to collect taxes and administer AATF programs has been extended eight times since FY 2007. Without an extension, the FAA's authority to collect and spend these taxes will expire on December 31, 2009. The last piece of legislation to extend the FAA authority was H.R. 3607. The House passed a four-year reauthorization bill ([H.R. 915](#)) on May 21, 2009, by a vote of [277 – 136](#). Senate is currently working on its own long-term reauthorization.

Committee Action: On December 8, 2009, the bill was introduced and considered on the House Floor. No official committee action was taken.

Possible Conservative Concern:

- **Extension of Excise Taxes:** Section 257 of the Budget Act requires CBO to assume that expiring excise taxes dedicated to a trust fund will continue beyond the scheduled expiration date. Consequently, though the bill will cause federal tax collections to increase by about \$11 billion on an annual basis compared to current law, this legislation will actually be scored as having no impact on federal revenue. But since expiring tax cut provisions are scored in the opposite manner by CBO, some conservatives may argue that an extension of aviation taxes should be offset with equal tax reductions.

Administration Position: No Statement of Administration Policy has been provided.

Cost to Taxpayers: A CBO score for the legislation is unavailable at press time.

Does the Bill Expand the Size and Scope of the Federal Government?: No, though it does extend taxes that would otherwise expire.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits was not available. Such a report is technically not required because the bill is being considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority was not available.

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H.R. _____—The No Social Security Benefits for Prisoners of 2009
(Rep. Tanner, D-TN)

Order of Business: The bill is scheduled to be considered on Tuesday, December 8, 2009, under a motion to suspend the rules and pass the bill.

Summary: The legislation would prohibit retroactive Social Security and Supplemental Security Income (SSI) benefit payments from being issued to individuals while they are in prison, individuals in violation of conditions of parole or probation, or to individuals fleeing to avoid prosecution for a felony or a crime punishable by sentence of more than one year.

Additional Background: Under current law, monthly Social Security benefit payments are already prohibited from being provided to individuals in prison, parole or probation violations, and avoiding arrest. Without this legislation, these individuals could be eligible for payments before they were imprisoned and could receive a lump sum retroactive check.

On September 24, 2009, the United States District Court in the Northern District of California approved a nationwide class action settlement agreement in the case of *Martinez v. Astrue*. This ruling ordered the SSA to pay benefits to some beneficiaries who were suspended as fugitive felons and are currently incarcerated. According to the committee, the SSA has identified 150 eligible individuals who have a prison mailing address, along with 28,000 other individuals that may qualify for Old-Age, Survivor, and Disability Insurance (OASDI) benefits.

Committee Action: On December 8, 2009, the bill was introduced and considered on the House Floor. No official committee action was taken.

Administration Position: No Statement of Administration Policy has been provided.

Cost to Taxpayers: A CBO score for the legislation is unavailable at press time.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits was not available. Such a report is technically not required because the bill is being considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority was not available.

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